

APPROVED: 11/20/14

**MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
OCTOBER 16, 2014**

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, October 16, 2014, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

Erik Smith, Chairman

Terry Holt, Deputy Chairman

Cathy Kelly

Chris Dyroff

John Hunter – Arrived at 7:07 P. M.

M. Justin Rider, Attorney, (Rider, Weiner & Frankel, P. C.)

ALSO PRESENT: Nichole Bernicker, Mark Lavinski, Stuart Strow, Thomas B. Olley, P.E., Konstantinos Fatsis, and David G. Tonneson.

The Regular Meeting was called to order at 7:00 P. M. by the Chairman with the Pledge to the Flag. It was noted that four members are present, and there is a quorum. Mr. Hunter is running late.

At 7:01 the Public Hearing was opened for the Fort Storage Amended Site Plan (Section 9, Block 2, Lot 11).

The Applicant is ill and unable to attend tonight's meeting. Mr. Thomas B. Olley, P. E., the engineer representing Mr. Hannawalt, gave a brief description of the project. The proposed amendment of the site plan is to add approximately 3,150 square feet of additional building space in two separate buildings connected by a common roof located at the rear of the storage site. They are located at the lower level of the existing building and would be one-story buildings. He presented a simple sketch to the Board along with photographs that had been submitted to the Board previously.

He pointed out:

- Parapet location.
- Existing tree location and trees to be removed.
- Gap in the building to accommodate an existing drain pipe.
- Site disturbance is less than one acre.
- DEC regulations will be followed for storm water runoff.
- Lighting will be the same (dusk to dawn – may consider timers).
- Colors will be the same as the existing buildings.
- The elevation of Route 9W is about 8 feet higher than the site in the rear of the building and the scale of the rear building will be similar to the front of the building.

The Chairman asked the Board and audience members if they would like to comment on this project. There were no comments at this time.

At 7:09 P. M., a motion was made to Close the Public Hearing.

Motion: Mr. Holt Seconded: Mr. Dyroff Approved

A motion was made to approve the September 18, 2014 Minutes.

Motion: Mr. Holt Seconded: Dr. Kelly Approved

COMMUNICATIONS - None

VOUCHERS – October 2014

Rider Weiner, & Frankel, P.C.

General Admin.	\$111.00
Fort Storage	277.50
230 West 245 St. LLC	222.00

Garling Associates

General Admin. (Aug & Sept)	\$136.50th
Fort Storage	105.00
Hudson Highlands Rest.	21.00
230 West 245 St. LLC	430.50

Recording Secretary

Fran DeWitt	\$ 84.80
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News of the Highlands	\$ 26.40 – Legal ad for Public Hearing For Fort Storage
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The Chairman will submit these vouchers to the Comptroller.

OLD BUSINESS

Fort Storage Amended Site Plan (Section 9, Block 2, Lot 11).

The Chairman did a site visit and stated the substantial drop in elevation and noted that the majority of that building is below the height of Route 9W. When counting in the existing building in the front of the lot, this new construction will likely not be visible to the public.

The reply from the County on the GML has been received. The County replied that they had no comment and recommended local determination.

Mr. Olley explained that they were unable to submit the new plans tonight because of computer issues in his office. They have no problem complying with all the requests made by the engineer, and will submit the plans within the week.

Hudson Highlands Rest., LTD, Amended Site Plan (Section 11, Block 1, Lots 1.1 & 1.2).

Mr. Stuart Strow stated that they revised the plan based on previous discussions. He spoke with Pat Hines about the width of that road. Their plan for the access driveway was to have ingress only from Route 9W, with a paved width of 12 feet.

Items of concern:

- Fire Code requirement of a 20 foot unobstructed fire access lane.
- Access for fire vehicles.
- Not being used as a two-way street.
- Possibility of illegal parking.
- No curbs.
- Stabilized shoulder.

Mr. Fatsis requested the Public Hearing being set. The Chairman suggested going through the questions in the Comment Letters before setting the Public Hearing. Each item was stated with Mr. Fatsis' response and noting the applicant's compliance.

Noted concerns:

- Clear signage to including no parking signs.
- Stone walls.
- Tax maps consolidation.
- Changes/compliance to Storm Water Management.
- Detailing of the Route 9W Right-of-Way.
- Review of the amount of turn around space for emergency vehicles at the dead end by Building 25 (to be reviewed by the fire chief).
- A letter from the Fire District or Fire Chief would be accepted by the Board.

If plans are submitted in a timely manner, they will be submitted to County Planning.

320 West 245 Street LLC-1368, Route 9W, Subdivision (Section 7, Block 1, Lot 1.1)

The Board has not received any communications from the applicant since the last meeting.

NEW BUSINESS

Lawless 1027 U. S. Route 9W Request for extension of site plan approval. (Approved November, 2012). Section 11, Block 1, Lot 23).

The Chairman read a letter from Mr. Lawless:

"Dear Members of the Board:I own a vacant lot located at 1027 Route 9W and would like to request an extension of time on my approvals. The Board approved my property in November of 2012. I am requesting another extension of my approvals. If you need me to be present, please let me know".

The Chairman, after a discussion with the attorney, made contact with Mr. Lawless, stating that this is within the Board's purview. Mr. Lawless is advertising it for an approved property for a commercial building there. **For the Record:** The Chairman rents a spot on the current lot for its approved use. He works for the same employer but does not believe there is any conflict.

After some discussion, Mr. Rider noted that extensions in perpetuity are not usually granted because of law changes or community changes.

A motion was made to grant a two-year extension for this project.

Motion: Mr. Hunter Seconded: Mr. Dyroff Approved.

PUBLIC COMMENT:

Nichole Bernicker, 1376 Route 9W, Fort Montgomery, NY.

Her concerns included:

- Movement of the boulder on her property.
- Her responsibilities as a property owner.
- Main right-of-way.
- Use of driveway.
- In the winter – snow removal.

The Chairman stated that it is not the job of the municipality to solve private disputes between land owners.

At 8:10 P. M., a motion was made to adjourn the meeting.

Motion: Dr. Kelly Seconded: Mr. Hunter Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is
Thursday, November 20, 2014**